

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Alton B. Cromartie,

Case No. 1:08 CV 1711

Petitioner,

MEMORANDUM OPINION
AND ORDER

-VS-

JUDGE JACK ZOUHARY

Alan Lazaroff,

Respondent.

This matter is before the Court on a Petition for a Writ of Habeas Corpus. The Petition was reviewed by the Magistrate Judge who recommended the Petition be dismissed (Report and Recommendation, Doc. No. 56). Petitioner filed an Objection (Doc. No. 64); a Motion for Evidentiary Hearing and Supplemental Objections (Doc. No. 66); and an Amended Supplemental Petition with Objections (Doc. No. 67).

In accordance with *Hill v. Duriron Co.*, 656 F.2d 1208 (6th Cir. 1981) and 28 U.S.C. § 636(b)(1)(B) & (C), this Court has made a *de novo* determination of the Magistrate's findings and adopts the recommendation to deny the Petition.

This Court has carefully reviewed the record and the briefing. The Objections raised by Petitioner are a general rehash of arguments already addressed in the Report and Recommendation. The Court finds that the Report and Recommendation accurately sets forth the history of this case, including appeals through the state court system, and accurately deals with the six grounds for relief

set forth in the Petition for a federal writ of habeas corpus. This Court therefore adopts the Report and Recommendation, including the Findings and Fact and Conclusions of Law, in its entirety.

Accordingly, the Petition is dismissed. Further, the Motion for Evidentiary Hearing, also addressed in the Report and Recommendation, is denied. Finally, this Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and no basis exists upon which to issue a certificate of appealability.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

January 6, 2010